

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ALLIED WASTE NORTH AMERICA,)
LLC AND 623 LANDFILL, INC.,)
)
PLAINTIFF,)
)
v.) CIVIL ACTION NO.
)
INTERNATIONAL BROTHERHOOD OF)
TEAMSTERS, LOCAL 25, THOMAS G.)
MARI, INDIVIDUALLY AND AS)
PRESIDENT, STEVEN J. SOUTH, AS)
SECRETARY-TREASURER, JOAN C.)
COREY, AS VICE PRESIDENT/)
BUSINESS AGENT, PETER S. BERRY,)
AS RECORDING SECRETARY,)
MILTON DEPINA, INDIVIDUALLY)
AND AS UNION REPRESENTATIVE,)
NICO CATANO, INDIVIDUALLY AND)
AS UNION TRUSTEE, ERIC LOGAN,)
INDIVIDUALLY AND AS UNION)
REPRESENTATIVE, DAVID SMITH,)
INDIVIDUALLY AND AS UNION)
REPRESENTATIVE, BRIAN J. HATCH,)
INDIVIDUALLY AND AS BUSINESS)
AGENT,)
)
And)
)
JOHN DOES 1-100; and all others)
conspiring, acting in concert, or otherwise)
participating with them or acting in their)
aid or behalf,)
)

DEFENDANTS.

[PROPOSED] TEMPORARY RESTRAINING ORDER

This matter is before the Court on the Motion for Temporary Restraining Order by plaintiffs Allied Waste North America, LLC and 623 Landfill, Inc. (collectively “Republic”). The Court having considered the Verified Complaint, affidavits, argument of counsel and being otherwise advised in the premises, the Court hereby **ORDERS, ADJUDGES AND DECREES** that Defendant International Brotherhood of Teamsters, Local 25 (“Local 25”) and individual Defendants, individually and collectively, and their agents, officers, representatives, servants, supervisors, and employees and all other persons acting under, by, through, or in concert with them or otherwise participating in their aid are hereby **ENJOINED** and **RESTRAINED** from:

- (a) Preventing or attempting to prevent by blocking, violence, intimidation, or coercion, or any threats thereof, any person or persons having lawful business from freely entering or leaving all and any Republic facilities. This includes physically menacing and threatening Republic employees, vendors, and customers in any way at any location, including by following them to or from work locations, following them to or from parked cars, following them to or from their personal activities, homes or place of residence, screaming threats to physically assault them, and menacing their vehicles at any location, including as they enter and exit Republic facilities, or when on customer or vendor sites, so as to objectively put the occupants in imminent fear of bodily harm;
- (b) Physically threatening/intimidating contractors, subcontractors, suppliers, customers, visitors, invitees, officers, employees and the employees of Republic’s contractors and subcontractors;
- (c) Threatening employees, customers, potential customers, and other persons seeking to do business with Republic with physical harm, race-based harm, gender-based

harm, or sexual violence should they enter and/or attempt to exit Republic's property, conduct Republic's business at vendor or customer sites, or do business with Republic;

(d) Interfering with, hindering, or obstructing by blocking or violence, intimidation, or coercion, or any threat thereof, the use of Republic's property or the conduct, maintenance, or operation of Republic's business;

(e) Picketing in any manner as to block or interfere in any way with the use of any Republic facility or property, by persons desiring to enter or leave said premises on foot or by vehicle;

(f) Congregating, loitering, or gathering in any way as to block ingress or egress of any and all trucks exiting from and entering onto Republic's Revere Facility, Peabody Recycling Facility, Peabody Hauling Facility, Peabody Transfer Station, Roxbury Facility, Quincy Facility and/or Holbrook Facility. This would include a prohibition on standing in front of vehicles and/or in their path of travel to prevent movement, mobbing vehicles to impede travel, physically vandalizing vehicles by slashing tires, pulling air hoses, disconnecting battery lines or other acts of vandalism resulting in vehicles being unable to operate;

(g) Trespassing upon Republic's facilities;

(h) Ordering, commanding, directing, assisting, aiding, or abetting in any manner whatsoever any person or persons who attempt to violate or who violate this order;

(i) Following, either by foot, or by vehicle, Republic's officers, agents, representatives, employees, independent contractors, or the employees of independent contractors, customers or prospective customers so as to interfere – expressly or by

implication – with Republic business operations (including, but not limited to the express examples below) or attempting to intimidate them with threatening words or conduct – express or implied – because of their current or future relationship with Republic;

(j) Assaulting Republic employees, including but not limited to, with cleaning agents, liquids or other substances;

(k) Following and/or engaging with Republic trucks or vehicles, while in operation, in a dangerous, unsafe, reckless or improper manner so as to create a public safety hazard, including using personal or union vehicles as weapons, so-called “brake jobs,” or slamming on brakes in front of Republic vehicles in an unsafe manner, cutting off trucks, swerving as if to cause collisions with trucks and/or attempting to drive trucks off the road or into hazardous road areas.

(l) Following Republic trucks to customer locations and either blocking dumpsters and/or trash/recycling cans, or blocking ingress and egress so as to prevent Republic employees from performing services;

(m) Inflicting any physical damage or violence upon real or personal property owned by Republic or used in the regular business operation of Republic, including stealing Republic vehicles.

It is further **ORDERED, ADJUDGED AND DECREED** that the individual Defendants and officers and agents of the Local 25 communicate or cause to be communicated forthwith to all members, agents, and employees of Local 25 and any others acting in concert with Local 25, by means reasonably calculated to insure receipt thereof, the fact that an Order has been entered by

this Honorable Court, effective immediately, and the contents of said order, and order all members of Local 25 and those acting in concert with them to honor and obey said Order.

It is further **ORDERED, ADJUDGED AND DECREED** that Defendants show cause before this Court at the United States District Court for the District of Massachusetts located at 1 Courthouse Way Boston, Massachusetts, on the ____ day of July, 2025, at ____, or as soon thereafter as counsel can be heard, why a preliminary injunction should not be issued restraining and enjoining Defendants according to the demands of the Verified Complaint until further disposition of this action;

It is further **ORDERED, ADJUDGED AND DECREED** that the Chiefs of Police of all the communities in the Commonwealth of Massachusetts, including but not limited to the Revere, Peabody, Boston, Quincy, and Holbrook Police Departments, and the State Police, together with those persons lawfully appointed and deputized by them, pursuant to the power and authority vested in them by statutory and common law, shall make best efforts to enforce the terms of the aforesaid temporary restraining order to assure compliance by the Defendants with its provisions, and take any and all necessary or appropriate steps to obtain and enforce full and complete compliance with and obedience to the said temporary restraining order;

It is further **ORDERED, ADJUDGED AND DECREED** that Republic has leave to serve true but uncertified copies of this Order upon any persons acting in concert or combination with Defendants or otherwise participating with Defendants or acting in their aid or on their behalf;

It is further **ORDERED, ADJUDGED AND DECREED** that service of the within Order upon Defendants, via email, to the following email addresses, shall be deemed sufficient service:

maf@fdb-law.com

tmari@teamsterslocal25.com

It is further **ORDERED, ADJUDGED AND DECREED** that this Preliminary Restraining Order is on condition that a bond be filed by Republic in the amount of \$_____ to recompense those enjoined for any loss, expense or damage incurred in the event it is determined that this Restraining Order was erroneously or improvidently issued. The Bond of USI Insurance Services. is hereby found to be adequate and approved for such purposes.

Done and **ORDERED** this _____ day of July, 2025 at _____, in Chambers, at United States District Court for the District of Massachusetts located at 1 Courthouse Way Boston, Massachusetts.
